IN THE HIGH COURT OF JUDICATURE

ANDHRA PRADESH AT HYDERABAD.

HON'BLE SRI JUSTICE V.V. S. RAO

Writ Petition No. 19313 of 2005

Dated: 01st September 2005

Between:

Sirigiri Ramesh … Petitioner

And

The District Collector,

Karimnagar District and two others … Respondents

Oral Order:

Heard Mr.R. Prem Sagar, learned Standing Counsel for Panchayat Raj.

The petitioner is the owner of agricultural land admeasuring Ac.2-00 in S.No.138 of Thippapur Village, Vemulawada Mandal, Karimnagar District. He also obtained necessary passbooks under A.P. Pattadar Passbooks and Record of Rights Act. He alleges that the second respondent is now laying a road from the petitioner's land touching Thippapur Village to Nampally Road connecting the school. According to the petitioner, the school is

already having a way and there is no necessity to lay one more way to the school. He contends that without due process of law, the petitioner cannot be deprived his property.

Be that as it is, as the petitioner has not given consent for road widening, to hand over possession of the affected portion, the only alternative available to the respondents is to take recourse to the provisions of the Land Acquisition Act, 1894 and acquire the land in accordance with law. Till such exercise is initiated and completed, the petitioner cannot be deprived of his right to enjoy his property.

The writ petition, with the above observations, is accordingly disposed of at the admission stage.

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(V.V.S. Rao, J)

1st September 2005

svs